

**In re John Stacy SIMMS, III and Cledith A. Simms, Debtors.**

**No. 99-33875-BKC-SHF**

(Cite as: 243 B.R. 156)

The debtors purchased an annuity with proceeds from the sale of non-exempt real property seven months before filing bankruptcy. The trustee objected to their claimed objection in the annuity. The Court overruled the objection because it found that the trustee failed to meet his burden of proving that the conversion resulting in purchase of the Annuity was done with intent to hinder, delay, or defraud creditors.